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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/636,044	08/07/2003	Patrick Chiu	FXPL-1060US0	9973
7590 02/27/2007 MARTIN C. FLIESLER, ESQ. FLIESLER DUBB MEYER & LOVEJOY LLP Fourth Floor Four Embarcadero Center San Francisco, CA 94111-4156			EXAMINER OSBERG, THUY THANH	
			ART UNIT 2179	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/636,044	Applicant(s) CHIU ET AL.	
	Examiner Thuy Carleton	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1=20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/21/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are pending and have been examined in this application. This communication is responsive to the original application filed 08/07/2003.

Claim Objections

2. Claim 20 is objected to because of the following informalities:

Claim 20 is objected to for lacking of antecedent basis, "The computer program product of claim 11" in line 1 of claim 20, but there is no "computer program product" mentioned in claim 11. The examiner assumes claim 20 depends on claim 19 for continuation of this examination.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 13-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As to claim 13, a "computer program product" is being recited; however, as disclosed by the specification sections are taught to be computer code, per se, without a computer readable

Art Unit: 2179

medium capable of producing a useful, concrete and tangible result when used in the computer system.

As such, claims 14-20 are rejected as incorporating the deficiencies of a claim upon which it depends.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-5, 8-13, 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Humphrey et al. (US Pub 2004/0003039), hereinafter “Humphrey”

As claim 1, Humphrey teaches a system for providing content in a modular presentation system (fig. 5; par [0056], comprising: a plurality of displays (fig. 5, labels 502, 504A – 504F; fig. 1, label 191; par [0032], lines 27-28; par [0057]), wherein each display neighbors at least one other display and all the displays communicate within a peer-to-peer system (Abstract; par [0024], lines 1-6; par [0036]), each of the plurality of display associated with: an input device configured to receive a gesture input (fig. 1, labels 160, 161, 162; par [0032], lines 18-25; par [0028], lines 6-11);

Art Unit: 2179

and a processor (par [0028], lines 6-11), each processor associated with an I/O port and configured to interpret the gesture received by the associated input device (fig. 1, labels 160, 195; par [0032], lines 23-33), each display processor configured with directional information for at least one neighboring display (fig. 5, label 510; fig. 7, labels 708, 710; par [0063]; par [0067], lines 23-27), each I/O port configured to receive and transmit messages to a neighboring display (fig. 1, labels 171, 173; par [0033]; par [0034], lines 1-9), wherein each processor is configured to propagate content to a neighboring display (fig. 7, label 708; par [0067], lines 21-23).

As claim 2, Humphrey further teaches each of the plurality of displays is configured to: receive new content identification information (par [0024], lines 16-19, that by sharing the content, which gives the ability to receive, sending and transmitting; par [0064], lines 1-8); and transmit old content identification information (par [0024], lines 10-20, that the initial connection will transmit previous information to obtain a common index of content); and present content associated with the new content identification information (par [0013]; par [0024], lines 19-23); par [0036]).

As claim 3, Humphrey further teaches the new content identification information is received from a processor associated with a neighboring display in the reverse propagation direction (par [0013], par [0024], lines 16-20; par [0028], lines 6-17, that the systems are linked in a communications network and/or peer group which propagates in a forward/reverse directions based on the association with the adjoining client), the old content identification information is transmitted to a processor associated with a neighboring display in the forward propagation direction (par [0013], par [0024], lines 16-20; par [0028], lines 6-17), the forward

Art Unit: 2179

propagation direction derived from the gesture input (fig. 7, labels 708, 710; par [0067], lines 21-27).

As claim 4, Humphrey further teaches the new content identification information includes: retrieving new content identification information from a memory stack (par [0024], lines 16-20, [0032], lines 9-14, that the shared content index, URL's and updates are stored on a memory storage device, which the updated information is available and the outdated information is removed or archived)

As claim 5, Humphrey teaches a method of providing content in a modular presentation system (fig. 5; par [0056]) having a plurality of displays (fig. 5, labels 502, 504A – 504F; fig. 1, label 191; par [0032], lines 27-28; par [0057]), each display associated with a processor (par [0028], lines 6-11), input device (fig. 1, labels 160, 161, 162; par [0032], lines 18-25; par [0028], lines 6-11), and an I/O port (fig. 1, labels 160, 195; par [0032], lines 23-33), the method comprising:

receiving gesture input by an input device associated with a first of the plurality of displays (fig. 1, labels 160, 161, 162; par [0032], lines 18-25; par [0028], lines 6-11), the first display presenting a first content, the first content associated with a first content identification information (par [0013]; par [0024], lines 19-23); par [0036]);

interpreting the gesture input (fig. 1, labels 160, 195; par [0032], lines 23-33) by the processor associated with the first display (fig. 5, label 510; fig. 7, labels 708, 710; par [0063]; par [0067], lines 23-27);

retrieving a second content identification information (par [0024], lines 16-19, that by sharing the content, which gives the ability to receive, sending and transmitting; par [0064], lines 1-8);

Art Unit: 2179

sending the first content identification information to a neighboring display (par [0024], lines 10-20, that the initial connection will transmit previous information to obtain a common index of content);

and presenting a second content at the first display, the second content associated with the second content identification information (par [0013]; par [0024], lines 19-23); par [0036]).

As claim 8, Humphrey further teaches interpreting the gesture includes: determining the direction of the gesture (par [0024], lines 10-20, that the gesture includes updating, which is controlled by the user choosing a direction via a URL).

As claim 9, Humphrey further teaches retrieving second content identification information includes: retrieving a second URL from a memory associated with the display (par [0024], lines 19-23, that the URL's are stored in memory).

As claim 10, Humphrey further teaches sending first content identification information to a neighboring display includes: sending a first URL to the neighboring display (par [0024], lines 19-23, that the content discovery service provides an initial URL).

As claim 11, Humphrey further teaches:
propagating content, the direction of propagation derived from the gesture input (par [0024], lines 16-19; par [0028], lines 6-17), wherein propagating content includes:
receiving the first content identification information by a second processor associated with a second display (par [0024], lines 16-19, that by sharing the content, which gives the ability to receive, send and transmit; par [0064], lines 1-8);

Art Unit: 2179

and updating the second display to present content associated with the first content identification information (par [0013]; par [0024]).

As claim 12, Humphrey further teaches propagating content includes: for each display that exists along the direction of propagation, wherein each display includes a current content identification information (par [0013]):

receiving a received content identification information from a neighboring display in a direction reverse to the direction of propagation (par [0067] ;

sending the current content identification information to a neighboring display in the direction of propagation (par [0013]; par [0067]);

and updating the display with the received content identification information (par [0013], lines 1-3; par [0024], lines 10-20; par [0032], lines 27-28).

As claim 13, Humphrey further teaches a computer program product for execution by a computer (fig 1, labels 144-146; par [0028], lines 1-11) for providing content in a modular presentation system (fig. 5; par [0056]) having a plurality of displays (fig. 5, labels 502, 504A – 504F; fig. 1, label 191; par [0032], lines 27-28; par [0057]), each display associated with a processor (par [0028], lines 6-11), input device (fig. 1, labels 160, 161, 162; par [0032], lines 18-25; par [0028], lines 6-11), and an I/O port (fig. 1, labels 160, 195; par [0032], lines 23-33), comprising:

computer code (par [0028], lines 1-11) for receiving gesture input by an input device associated with a first of the plurality of displays (fig. 1, labels 160, 161, 162; par [0032], lines 18-25), the first display presenting a first content, the first content associated with a first content identification information (par [0013]; par [0024], lines 19-23; par [0028]; par [0036]);

Art Unit: 2179

computer code(par [0028], lines 1-11) for interpreting the gesture input (fig. 1, labels 160, 195; par [0032], lines 23-33) by the processor associated with the first display (fig. 5, label 510; fig. 7, labels 708, 710; par [0063]; par [0067], lines 23-27);

computer code (par [0028], lines 1-11) for retrieving a second content identification information (par [0024], lines 16-19, that by sharing the content, which gives the ability to receive, send and transmit; par [0028]; par [0064], lines 1-8);

computer code (par [0028], lines 1-11) for sending the first content identification information to a neighboring display (par [0013]; (par [0024], lines 10-20, that the initial connection will transmit previous information to obtain a common index of content);

and computer code (par [0028], lines 1-11) for presenting a second content at the first display, the second content associated with the second content identification information (par [0013]; par [0024], lines 19-23); par [0036]).

As claim 16, Humphrey further teaches the computer code for interpreting the gesture includes: computer code for determining the direction of the gesture (par [0024], lines 10-20, that the gesture includes updating, which is controlled by the user choosing a direction via a URL).

As claim 17, Humphrey further teaches the computer code for retrieving second content identification information includes: computer code for retrieving a second URL from a memory associated with the display (par [0024], lines 19-23, that the URL's are stored in memory).

As claim 18, Humphrey further teaches the computer code for sending first content identification information to a neighboring display includes: computer code for sending a first

Art Unit: 2179

URL to the neighboring display (par [0024], lines 19-23, that the content discovery service provides an initial URL).

As claim 19, Humphrey further teaches:

computer code for propagating content, the direction of propagation derived from the gesture input (par [0024], lines 16-19; par [0028], lines 1-17), wherein propagating content includes: computer code for receiving the first content identification information by a second processor associated with a second display (par [0024], lines 16-19, that by sharing the content, which gives the ability to receive, send and transmit; par [0064], lines 1-8); and computer code for updating the second display to present content associated with the first content identification information (par [0013]; par [0024]).

As claim 20, Humphrey further teaches the computer code for propagating content (fig 1, labels 144-146; par [0028], lines 1-11) includes: for each display that exists along the direction of propagation (fig. 5, labels 502, 504A – 504F; fig. 1, label 191; par [0032], lines 27-28; par [0057]), wherein each display includes a current content identification information (par [0013]; par [0024]): computer code for receiving a received content identification information from a neighboring display in a direction reverse to the direction of propagation (par [0013]; par [0024]; par [0067]); computer code for sending the current content identification information to a neighboring display in the direction of propagation (par [0013]; par [0067]); and computer code for updating the display with the received content identification information (par [0013], lines 1-3; par [0024], lines 10-20; par [0032], lines 27-28).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6-7 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humphrey in view of Krzyzanowski et al. (US Pub 2004/0098456), hereinafter "Krzyzanowski"

As claim 6 and 14, Humphrey does not teach receiving input on a touch screen display.

However, Krzyzanowski teaches receiving input on a touch screen display (fig. 4, labels 404, 410; par [0039]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Humphrey by receiving input on a touch screen display as taught by Krzyzanowski in order to provide easy to use input for the user via touch screen (Krzyzanowski: par [0007], lines 9-14).

As claim 7 and 15, Humphrey does not teach determining whether the gesture is one of a move or transpose gesture.

However, Krzyzanowski teaches determining whether the gesture is one of a move or transpose gesture (par [0087]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Humphrey by determining whether the gesture is one of a move or transpose gesture as taught by Krzyzanowski in order to provide an enhanced display by interpreting the gesture to provide a display that is user controlled (Krzyzanowski: par [0007], lines 9-14).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kanevsky et al. (US Patent 6,426,761) – Information presentation system for a graphical user interface.

Craig (US Patent 6,108,687) – System and method for providing a synchronized display to a plurality of computers over a global computer network.

Husain et al. (US Pub 2004/0098458) – Distributed computing infrastructure including multiple collaborative sessions.

Chen et al. (US Pub 2003/0085923) – Method and apparatus for conducting a collaboration session in which screen displays are commonly shared with participants.

McCormick et al. (US Patent 7,058,354) – Learning activity platform and method for teaching a foreign language over a network.

Adams et al. (US Patent 5,873,100) – Internet browser that includes an enhanced cache for user-controlled document retention.

Rodgers et al. (US Pub 2002/0026478) – Method and apparatus for forming linked multi-user groups of shared software applications.

Weisman et al. (US Patent 7,171,475) – Peer networking host framework and hosting API.

Tanikoshi et al. (US Patent 5,634,018) – Presentation supporting method and apparatus therefor.

Art Unit: 2179

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Carleton whose telephone number is 571-270-1258. The examiner can normally be reached on Monday-Friday (8:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TC


BA HUYNH
PRIMARY EXAMINER